(37)

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 2724 of 2002

Petitioner		Dr. Bharatlal Tiwari, aged about 67 years, S/o Ramlal Tiwari, retired Ayurvedic Chikitsa Adhikari, resident of village Sarkanda, P.O. Panduka, District- Raipur (Chhattisgarh).
	Versus	
Respondents	1.	State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, D. K. S. Bhawan, Mantralaya, Raipur (Chhattisgarh).
	2.	State of Madhya Pradesh, through the Secretary, Department of Panchayat & Rural Development, Vallabh Bhawan, Bhopal (M.P.).
	3.	Janpad Panchayat, Chhura, through the Chief Executive Officr, village- Chhura, District- Raipur (Chhattisgarh).
	4.	Zila Panchayat, Raipur through the Chief Executive Officer, District- Raipur (Chhattisgarh)

Single Bench : Hon'ble Mr. Justice **Satish K. Agnihotri**.

Shri B. D. Guru, Advocate for the petitioner.

Shri Pankaj Shrivastava, Panel lawyer for the Respondent No.1.

None for Respondents No. 2, 3 and 4.

ORAL ORDER

(6th January, 2006)

The following order of the Court was passed by **Satish K. Agnihotri, J.**

1. The petitioner was appointed on the post of 'Vaidya' by the Janpad Sabha, Bilaspur on 12.11.1960. Thereafter the petitioner was transferred to Gariyaband and thereafter posted in block – Chhura, District – Raipur. Further, the petitioner was appointed as Ayurvedic Chikitsa Adhikari on 18.1.1973 .

2. On 20.4.1988 the Govt. decided to take over offices of Vaidyas/ Aurvedic Chikitsa Adhikari and to absorb them in the Department of Public Health and Family Planning. They were re-designated as 'Assistant Ayurvedic Chikitsa Adhikari'. The petitioner while working

as Assistant Ayurvedic Chikitsa Adhikari retired from service on superannuation w.e.f. 31.8.1993.

3. Learned counsel for the petitioner submits that one Dr. Mahendra Kumar Verma, who was also retired from the post of Assistant Ayurvedic Chikitsa Adhikari filed Writ Petition No. 2810 of 1996 in the High Court of Madhya Pradesh, Jabalpur in which he had prayed for grant of benefit of various pay committees and pay commissions. Vide order dated 1.10.1997, passed in that writ petition, it was directed that the petitioner be given benefit of the pay committees and Pay Commissions (supra) within a period of six months from the date of the order and difference in the pay would be paid to the petitioner in accordance with the revised pay scales fixed by the various pay commissions/committees.

4. Learned counsel for the petitioner further submits that since the petitioner stands on the same footing, he is also entitled for the same benefit as has been directed in W.P.No. 2810 of 1996 by the High Court of M.P. Jabalpur.

5. Having heard learned counsel for the parties and having regard to the facts and circumstance of the case, the petitioner is allowed liberty to make a detailed representation to the authorities concerned, raising all his grievances. In turn, the authorities concerned shall consider and decide the representation, if any, within a period of two months from the date of receipt of the representation, in accordance with law, keeping in view the direction given in W.P.No. 2810 of 1996 vide order dated 1.10.1997.

6. In view of the foregoing, this petition stands disposed of finally. No order as to costs.

Certified copy, as per Rules.

Sd/-
Satish K. Agnihotri
Judge